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8 Attorney for Plaintiff: Karen L. Severy

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10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN MARIANA ISLANDS**

12 **KAREN LINWOOD SEVERY,**
13 **Plaintiff,**

14 **vs.**

15 **COMMONWEALTH OF THE**
16 **NORTHERN MARIANA**
17 **ISLANDS, OFFICE OF THE**
18 **ATTORNEY GENERAL; DAVID**
19 **W. HUTTON, individually and in**
20 **his capacity as a supervisory**
21 **employee of the Office of the**
22 **Attorney General and the**
23 **Commonwealth of the Northern**
24 **Mariana Islands; and DOES 1-10,**
25 **inclusive,**

26 **Defendants.**

27 **CIVIL ACTION NO. 05-0020**

28 **REQUEST FOR STATUS**
29 **CONFERENCE and**
30 **DECLARATION**

31 COMES NOW, Robert T. Torres, Counsel for Plaintiff, and hereby respectfully
32 requests that a Status Conference be held in this matter. Although this case has been
33 settled and dismissed, this Honorable Court continues to retain jurisdiction over the

1 matter for enforcement purposes of the terms of the Settlement Agreement between
2 the parties.

3 Defendants have failed to fulfill their obligation required of them under the
4 terms of the Settlement Agreement, despite several instances in which Plaintiff's
5 Counsel has amicably tried to communicate with the Defendants with regard to this
6 matter. Therefore, Plaintiff's Counsel requests that a Status Conference be heard on
7 **January 19, 2007 at 10:00 a.m.**, or as soon as otherwise possible. This request is
8 supported by the attached declaration.

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10 Respectfully submitted this 12th day of January, 2007.

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13 /s/
14 ROBERT T. TORRES, F0197
15 Attorney for Plaintiff
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1 **DECLARATION OF ROBERT T. TORRES**

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3 I, Robert T. Torres, state and declare as follows:

4 1. I am over the age of 18 years and have never been convicted of a felony. I
5 make this declaration from my own personal knowledge, and, if called to testify, could
6 and would do so on the basis of the facts set forth below.

7 2. I am Counsel for Plaintiff Karen Linwood Severy in the above-entitled
8 matter.

9 3. In July of 2006, Plaintiff and Defendants entered into a Settlement
10 Agreement (“the Agreement”), which ultimately led to the dismissal of this case. The
11 parties, however, agreed that the Court would retain jurisdiction over this matter for
12 purposes of enforcement.

13 4. On November 29, 2006, my staff spoke with Mr. Manuel Borja of the Office
14 of the Attorney General. Mr. Borja informed my staff that he was trying to help the
15 Attorney General’s Office in completing their part of the Agreement.

16 5. On November 30, 2006, I sent an e-mail to Attorney General Matthew T.
17 Gregory and counsel Patrick Civille to follow up on why the Defendants have not
18 fulfilled their obligation as to the Agreement. I never received a reply from Mr.
19 Gregory, nor did he make any other effort to communicate with me as to my e-mail to
20 him. Prior to that e-mail I had also reminded Messrs. Gregory and Civille in a prior e-
21 mail in September of the status of non-payment.

22 6. Most recently, on Tuesday, January 9, 2007, the matter of the Settlement
23 Agreement was brought up by Mr. Gregory in a meeting with him on a separate
24 criminal matter. Mr. Gregory was surprised to learn of the non-payment. Mr.

1 Gregory only informed me that he had discussed this matter before with Finance
2 Secretary, Eloy S. Inos and that the matter was resolved. Despite the above and
3 despite the suggestions that full payment is being contemplated, no payment has been
4 made or received. Plaintiff has inquired with me on numerous occasions and no
5 longer wishes to extend any further courtesy to Defendants and demands immediate
6 payment.

7 7. A status conference is needed so as to address the issues stated herein
8 regarding settlement and enforcement.

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10 I declare the foregoing to be true and accurate this 12th day of January, 2007, on
11 Saipan, Commonwealth of the Northern Mariana Islands.

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14 /s/
15 Robert Tenorio Torres
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